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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
)
Implementation of the Subscriber)
Carrier Selection Change Provisions)
of the Telecommunications Act of 1996)
)
Policies and Rules Concerning)
Unauthorized Changes of Consumers')
Long Distance Carriers)

CC Docket No. 94-129

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OFFICE OF THE SECRETARY

REPLY COMMENTS OF
FRONTIER CORPORATION

Frontier Corporation ("Frontier"), on behalf of its common carrier subsidiaries, submits this reply to the comments received in this proceeding. In this reply, Frontier will briefly focus upon four issues: (1) requiring resellers to obtain their own carrier identification codes ("CICs"); (2) the definition of subscriber; (3) the use of a neutral third party administrator; and (4) the use of the Internet to enroll subscribers.¹

First, although numerous parties support the proposed requirement that resellers obtain their own CICs,² these parties do not address the costs of adopting this proposal. As Frontier pointed out, to open a CIC nationwide is an

¹ Frontier's position on the numerous issues upon which the Commission sought comment are set forth in Frontier's comments. The Commission's cornerstone proposal -- doubling the "fine" on the unauthorized carrier -- received support, not surprisingly, from state commissions and incumbent local exchange carriers. None, however, address the fundamental flaw in the Commission's proposal -- namely, that it builds upon the absolute remedy that the Commission adopted which is flatly inconsistent with section 258.

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expensive proposition that would act as a significant entry barrier (or swift exit ramp).³ When the Commission considers this proposal, it should bear in mind that it may put numerous resellers out of business, even though, in reality, it is only a few bad apples that are at the core of the slamming problem.⁴

In addition, as several parties point out, the requirement that resellers obtain their own CICs would exhaust this numbering resource.⁵

In considering this proposal, the Commission should carefully consider the costs and benefits of its adoption.

Second, the Commission should not adopt its amorphous proposal for defining a subscriber. Under the Commission's proposal, carriers could be required to maintain expensive data bases of potential individuals that would be defined as the "subscriber." There are two options to the Commission's proposal: (1) do not define a subscriber; or (2) define the subscriber as the customer of record.

Frontier initially supported the first option. However, in Frontier's view, the important point is that the carrier not be placed in the position of guessing who

² *E.g.*, Montana PSC at 2-3; NASUCA at 2, NYCPB at 11; BellSouth at 1-2.

³ Frontier at 3-5.

⁴ Because slamming -- truly understood in a dispassionate way and not in a politically charged environment -- is not as prevalent as commonly perceived, Frontier continues to believe that swift, targeted and effective enforcement action is the surest remedy for slamming. Additional regulation without appropriate enforcement action will merely increase costs that consumers will ultimately bear without curing the problem.

⁵ *E.g.*, AT&T at 36-37.

the subscriber is. Either option set forth above is preferable to what the Commission has proposed.

Third, Frontier strongly supports the use of a neutral third party administrator to administer preferred carrier ("PC") changes, freezes and thaws. Certain ILECs predictably oppose the proposal.⁶ The ostensible grounds for opposition -- cost, lack of necessity, etc. -- are plainly a smokescreen. The ILECs simply do not want to lose the gatekeeping role of processing such orders. Sprint -- which, like Frontier, has a substantial ILEC presence -- correctly identifies the dangers of permitting the ILECs to retain control of this function.⁷ The Commission should adopt the concept of a neutral third party administrator and provide the industry with a reasonable amount of time to implement the concept.

Fourth, the Commission should take a reasonable, but cautious, approach to Internet subscriptions. While it should not flatly ban or unnecessarily restrict the use of the Internet to enroll subscribers, it should ensure that the Internet does not become the electronic avenue for slamming.

Some proposals, such as that advanced by the New York Consumer Protection Board,⁸ simply go too far and would render the Internet essentially useless for enrolling subscribers. Others -- which essentially advocate no verification -- do not go far enough.

⁶ *E.g.*, Ameritech at 22-27, GTE at 15..

⁷ Sprint at 12.

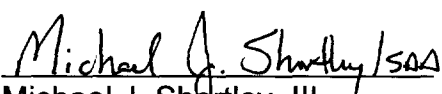
⁸ NYCPB at 16-19 (proposing the use of at least five independent verifiers)

The Commission should reject these extremes and adopt a middle ground, such as the solutions proposed by Frontier⁹ or BellSouth.¹⁰ These approaches would require the use of a validated credit card, independent third-party verification or password verification. In this manner, the Commission may facilitate use of the Internet to enroll subscribers while providing adequate protection against slamming.

Conclusion

For the foregoing reasons, the Commission should act upon the proposals contained in the Further Notice as suggested herein and in Frontier's comments.

Respectfully submitted,


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May 3, 1999

⁹ Frontier at 7-8.

¹⁰ BellSouth at 3-4.